PROOF

STATE OF IOWA

House Journal

WEDNESDAY, FEBRUARY 24, 2016

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JOURNAL OF THE HOUSE

Forty-fifth Calendar Day - Twenty-ninth Session Day

Hall of the House of Representatives Des Moines, Iowa, Wednesday, February 24, 2016

The House met pursuant to adjournment at 8:30 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Margi Florence, Director of Care Ministry, Basilica of St. John, Des Moines. She was the guest of Representative Anderson of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by IJAG Students from North High School and Lincoln High School, Des Moines. They were the guests of Representative Stanerson of Linn.

The Journal of Tuesday, February 23, 2016, was approved.

INTRODUCTION OF BILL

House File 2416, by committee on Commerce, a bill for an act relating to commercial establishments keeping nonagricultural animals, by establishing a quality assurance council and providing for a quality assurance certificate awarded to selected commercial breeders.

Read first time and referred to committee on Agriculture.

SENATE MESSAGES CONSIDERED

<u>Senate File 2110</u>, by committee on Judiciary, a bill for an act relating to persons examining and obtaining their own criminal history data.

Read first time and referred to committee on Public Safety.

Senate File 2111, by committee on Judiciary, a bill for an act providing that certain peace officers and law enforcement officials are

not required to use a notarial stamp when administering oaths or acknowledging signatures.

Read first time and referred to committee on Public Safety.

<u>Senate File 2112</u>, by committee on Judiciary, a bill for an act relating to a fiduciary's access to digital assets and including applicability provisions.

Read first time and referred to committee on Judiciary.

<u>Senate File 2115</u>, by committee on Judiciary, a bill for an act creating the criminal offense of interference with official acts against a jailer, and providing penalties.

Read first time and referred to committee on Public Safety.

<u>Senate File 2116</u>, by committee on Human Resources, a bill for an act adding substances to schedule I of the controlled substance schedules, and providing penalties.

Read first time and referred to committee on Public Safety.

<u>Senate File 2136</u>, by committee on Human Resources, a bill for an act requiring immunization against meningococcal disease for certain students.

Read first time and referred to committee on **Human Resources**.

<u>Senate File 2189</u>, by committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections.

Read first time and passed on file.

Senate File 2195, by committee on Education, a bill for an act requiring that human growth and development instruction by school boards include age-appropriate information regarding dating violence and prevention.

Read first time and referred to committee on Education.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2164</u>, a bill for an act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered, and including applicability provisions.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2197</u>, a bill for an act relating to the membership of the medical assistance advisory council and executive committee.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2198</u>, a bill for an act relating to the use of experimental treatments for patients with a terminal illness.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2200</u>, a bill for an act concerning instruction provided through the Iowa learning online initiative.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2205</u>, a bill for an act relating to varsity interscholastic athletic contests and athletic competitions eligibility limitations for pupils who participate in open enrollment, and including effective date and retroactive applicability provisions.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2214</u>, a bill for an act relating to the dispensing of additional quantities of a prescription within the limitations of the prescription.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2217</u>, a bill for an act relating to the definition of child abuse and to mandatory reporting training to recognize and report incidents of human trafficking involving minors, and making penalties applicable.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2231</u>, a bill for an act relating to disaster aid payment authorization requirements under specified circumstances.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2232, a bill for an act relating to redemption by certain persons of parcels sold at tax sale.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2233</u>, a bill for an act creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty.

Also: That the Senate has on February 23, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2234</u>, a bill for an act relating to the credit hours of educational assistance under the national guard educational assistance program.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 8:43 a.m., until the fall of the gavel.

The House resumed session at 2:49 p.m., Speaker Upmeyer in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 24, 2016, adopted the following resolution in which the concurrence of the House is asked:

<u>Senate Joint Resolution 2006</u>, a joint resolution nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions.

Also: That the Senate has on February 24, 2016, adopted the following resolution in which the concurrence of the House is asked:

<u>Senate Joint Resolution 2007</u>, a joint resolution nullifying administrative rules increasing fees assessed by the board of educational examiners and including effective date provisions.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2109</u>, a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2155, a bill for an act creating a statewide land mobile radio communications system fund, making an appropriation, and including effective date provisions.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2185</u>, a bill for an act relating to a criminal trespass that results in a violation of a person's expectation of privacy, and providing penalties.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2221</u>, a bill for an act relating to public utilities and sanitary sewage or storm water drainage disposal system providers.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

Senate File 2224, a bill for an act relating to the overtaking and passing of bicyclists by motor vehicles, and applying existing penalties.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2242</u>, a bill for an act relating to the administration of city elections by permitting the county commissioner of elections to designate a city clerk to receive city candidate filings.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2244</u>, a bill for an act relating to persons with disabilities registration plates for motor vehicles owned by trusts.

Also: That the Senate has on February 24, 2016, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2247</u>, a bill for an act relating to the use of licenses and advertisements by motor vehicle dealers and wholesalers, and making penalties applicable.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILL

House File 2417, by Hunter, Staed, Bennett, Bearinger, Stutsman, Isenhart, Kearns, Brown-Powers, Thede, Hanson, Mascher, Berry, Steckman, Ourth, Abdul-Samad, Gaskill, Winckler, and Lensing, a bill for an act establishing a retirement savings plan trust, and including implementation and effective date provisions.

Read first time and referred to committee on Commerce.

SENATE MESSAGES CONSIDERED

<u>Senate File 2009</u>, by Hart, a bill for an act expanding the statewide preschool program to include certain five-year-old children and including effective date and applicability provisions.

Read first time and referred to committee on **Education**.

<u>Senate File 2059</u>, by committee on Judiciary, a bill for an act relating to persons on probation, parole, or work release at the violator facility or a residential facility operated by the judicial district department of correctional services.

Read first time and referred to committee on **Judiciary**.

<u>Senate File 2061</u>, by committee on Judiciary, a bill for an act relating to the legal representation of indigent persons in criminal proceedings.

Read first time and referred to committee on Judiciary.

<u>Senate File 2102</u>, by committee on Human Resources, a bill for an act relating to access to the information program for drug prescribing and dispensing administered by the board of pharmacy.

Read first time and referred to committee on Human Resources.

Senate File 2144, by committee on Human Resources, a bill for an act relating to the disclosure of behavioral health information for the purpose of patient care coordination, and including effective date provisions.

Read first time and referred to committee on Human Resources.

Senate File 2145, by committee on Human Resources, a bill for an act relating to speech therapy and other benefits for children under the hawk-i program and including effective date and retroactive applicability provisions.

Read first time and referred to committee on Human Resources.

Senate File 2180, by committee on Natural Resources and Environment, a bill for an act providing for the appointment of members of the general assembly to serve on the water resources coordinating council.

Read first time and referred to committee on Agriculture.

<u>Senate File 2183</u>, by committee on Judiciary, a bill for an act relating to the limitations on criminal actions for the criminal offense of child endangerment.

Read first time and referred to committee on Judiciary.

<u>Senate File 2191</u>, by committee on Judiciary, a bill for an act establishing an office within the department of public safety to oversee efforts to combat human trafficking.

Read first time and passed on file.

<u>Senate File 2194</u>, by committee on Labor and Business Relations, a bill for an act concerning administrative law judges appointed or employed by the public employment relations board.

Read first time and referred to committee on Labor.

<u>Senate File 2231</u>, by committee on State Government, a bill for an act relating to disaster aid payment authorization requirements under specified circumstances.

Read first time and referred to committee on State Government.

<u>Senate File 2232</u>, by committee on Judiciary, a bill for an act relating to redemption by certain persons of parcels sold at tax sale.

Read first time and referred to committee on Judiciary.

Senate File 2233, by committee on Judiciary, a bill for an act creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty.

Read first time and referred to committee on Judiciary.

<u>Senate File 2234</u>, by committee on Education, a bill for an act relating to the credit hours of educational assistance under the national guard educational assistance program.

Read first time and referred to committee on Education.

CONSIDERATION OF BILLS Regular Calendar

<u>House File 2264</u>, a bill for an act concerning varsity athletics eligibility of students in open enrollment subjected to harassment or bullying, was taken up for consideration.

Stanerson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2264)

The ayes were, 95:

Abdul-Samad Baltimore Anderson Bacon Baudler Baxter Bearinger Bennett. Best **Brown-Powers** Berry Branhagen Byrnes Carlson Cohoon Cownie

Dunkel Dawson Deyoe Dolecheck Finkenauer Fisher Forbes Forristall Fry Gaines Gaskill Gassman Hall Grassley Gustafson Hagenow Hanusa Heartsill Heaton Hein Highfill Holt Hunter Holz Isenhart Jorgensen Huseman Jones Kaufmann Kearns Kelley Klein Kooiker Koester Kressig Landon Lensing Lykam Mascher Maxwell McConkey Miller, H. Miller, L. Meyer Mommsen Moore, B. Moore, T. Nunn Oldson Olson Ourth Paulsen Prichard Rogers Paustian Rizer Sands Ruff Running-Marquardt Salmon Sexton Sheets Sieck Smith Stutsman Staed Stanerson Steckman Taylor, R. Taylor, T. Thede Watts Wessel-Kroeschell Wills Winckler Windschitl Wolfe Worthan Speaker Upmeyer

The nays were, 1:

Vander Linden

Absent or not voting, 4:

Hanson Heddens Jacoby Pettengill

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2271, a bill for an act relating to the criminal offense of identity theft, and providing penalties, was taken up for consideration.

Nunn of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2271)

The ayes were, 96:

Abdul-Samad Baltimore Anderson Bacon Baudler Baxter Bearinger Bennett Berry Best Branhagen **Brown-Powers** Carlson Cownie Byrnes Cohoon Dawson Dolecheck Dunkel Deyoe

Fisher Forbes Forristall Finkenauer Fry Gaines Gaskill Gassman Grassley Hall Gustafson Hagenow Hanusa Heartsill Hein Heaton Highfill Holt Holz Hunter Huseman Isenhart Jones Jorgensen Kaufmann Kearns Kelley Klein Koester Kooiker Kressig Landon Lykam Mascher Maxwell Lensing McConkey Meyer Miller, H. Miller, L. Moore, B. Mommsen Moore, T. Nunn Oldson Olson Ourth Paulsen Paustian Prichard Rizer Rogers Ruff $Running\hbox{-}Marquardt$ Salmon Sands Smith Sexton Sheets Sieck Staed Stanerson Steckman Stutsman Taylor, R. Taylor, T. Vander Linden Thede Watts Wessel-Kroeschell Wills Winckler Windschitl Wolfe Worthan Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson Heddens Jacoby Pettengill

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

<u>House File 2277</u>, a bill for an act relating to utility facilities of electric transmission owners within public road rights-of-way, was taken up for consideration.

Watts of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2277)

The ayes were, 94:

Abdul-Samad Anderson Bacon Baltimore Baudler Baxter Bearinger Bennett Berry Best Branhagen **Brown-Powers** Byrnes Carlson Cohoon Cownie Dolecheck Dunkel Dawson Deyoe Finkenauer Fisher Forbes Forristall Fry Gaines Gaskill Gassman

Gustafson Hall Grassley Hagenow Hanusa Heartsill Heaton Hein Highfill Holt Holz Hunter Huseman Isenhart Jorgensen Jones Kaufmann Kearns Kelley Klein Kooiker Kressig Landon Koester Lykam Mascher Maxwell Lensing McConkey Miller, H. Miller, L. Mommsen Moore, B. Oldson Moore, T. Nunn Olson Ourth Paulsen Paustian Ruff Prichard Rizer Rogers Running-Marquardt Salmon Sands Sexton Sieck Smith Staed Stanerson Steckman Taylor, R. Taylor, T. Stutsman Vander Linden Wessel-Kroeschell Thede Watts Wills Winckler Windschitl Wolfe Speaker Worthan

Upmeyer

The nays were, 2:

Meyer Sheets

Absent or not voting, 4:

Hanson Heddens Jacoby Pettengill

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

<u>House File 2356</u>, a bill for an act providing for the towing of certain implements of husbandry in tandem among manufacturers, retail sellers, and farm purchasers, was taken up for consideration.

Byrnes of Mitchell moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2356)

The ayes were, 96:

Abdul-Samad Anderson Bacon Baltimore Baudler Baxter Bearinger Bennett Berry Best Branhagen **Brown-Powers** Byrnes Carlson Cohoon Cownie Dolecheck Dunkel Dawson Deyoe Finkenauer Fisher Forbes Forristall Fry Gaines Gaskill Gassman

Hall Grassley Gustafson Hagenow Hanusa Heartsill Heaton Hein Highfill Holt Hunter Holz Huseman Isenhart Jorgensen Jones Kaufmann Kearns Kelley Klein Kooiker Landon Koester Kressig Maxwell Lensing Lykam Mascher McConkey Meyer Miller, H. Miller, L. Moore, B. Mommsen Moore, T. Nunn Oldson Olson Ourth Paulsen Paustian Prichard Rogers Rizer Ruff Running-Marquardt Salmon Sands Sexton Sheets Sieck Smith Stutsman Staed Stanerson Steckman Taylor, R. Taylor, T. Thede Vander Linden Watts Wessel-Kroeschell Wills Winckler Windschitl Worthan Speaker Wolfe Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson Heddens Jacoby Pettengill

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 2373, a bill for an act relating to the organization and administration of limited partnerships and limited liability companies doing business in Iowa, was taken up for consideration.

Branhagen of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2373)

The ayes were, 96:

Abdul-Samad Anderson Bacon Baltimore Baxter Baudler Bearinger Bennett Brown-Powers Berry Best Branhagen Byrnes Carlson Cohoon Cownie Dawson Devoe Dolecheck Dunkel Finkenauer Fisher Forbes Forristall Gaskill Gassman Fry Gaines Gustafson Hagenow Hall Grassley Hanusa Heartsill Heaton Hein

Highfill Holt Holz Hunter Huseman Isenhart Jones Jorgensen Kaufmann Klein Kearns Kelley Kooiker Landon Koester Kressig Lensing Lykam Mascher Maxwell McConkey Meyer Miller, H. Miller, L. Mommsen Moore, B. Moore, T. Nunn Oldson Olson Ourth Paulsen Paustian Prichard Rogers Rizer Ruff Running-Marquardt Salmon Sands Smith Sexton Sieck Sheets Staed Stanerson Steckman Stutsman Taylor, R. Taylor, T. Thede Vander Linden Watts Wessel-Kroeschell Wills Winckler Windschitl Worthan Wolfe Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson Heddens Jacoby Pettengill

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

<u>House File 2263</u>, a bill for an act relating to disciplinary actions taken against a licensed school employee that are required to be reported to the board of educational examiners, was taken up for consideration.

T. Moore of Cass moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2263)

The ayes were, 96:

Abdul-Samad Anderson Baltimore Bacon Baudler Baxter Bearinger Bennett Berry Best Branhagen **Brown-Powers** Carlson Cohoon Cownie Byrnes Dawson Dolecheck Dunkel Deyoe Forristall Finkenauer Fisher Forbes Fry Gaines Gaskill Gassman Grassley Gustafson Hagenow Hall Hanusa Heartsill Heaton Hein Highfill Holt Holz Hunter Huseman Isenhart Jones Jorgensen

Kelley Klein Kaufmann Kearns Koester Kooiker Kressig Landon Lykam Maxwell Lensing Mascher McConkey Meyer Miller, H. Miller, L. Mommsen Moore, B. Moore, T. Nunn Oldson Olson Ourth Paulsen Paustian Prichard Rizer Rogers Sands Ruff Running-Marquardt Salmon Smith Sexton Sheets Sieck Staed Stanerson Steckman Stutsman Taylor, R. Taylor, T. Vander Linden Thede Wessel-Kroeschell Watts Wills Winckler Windschitl Wolfe Worthan Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Hanson Heddens Jacoby Pettengill

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanson of Jefferson Heddens of Story Jacoby of Johnson Pettengill of Benton

HOUSE FILE 2101 WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw <u>House File 2101</u> from further consideration by the House.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2263, 2264, 2271, 2277, 2356** and **2373**.

EXPLANATIONS OF VOTE

On February 24, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2263 – "aye"	<u>House File 2264</u> – "aye"
House File 2271 – "aye"	House File 2277 – "aye"
House File 2356 – "aye"	House File 2373 – "aye"

Jacoby of Johnson

On February 22, 2016, I inadvertently voted "nay" on <u>House File 2275</u>, I meant to vote "aye".

Olson of Polk

On February 23, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

House File 2331 - "aye"

Wessel-Kroeschell of Story

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 639 Ways and Means

Relating to Iowa's urban renewal law by modifying requirements for the annual report prepared by the legislative services agency, establishing restrictions on the use of divided revenues, modifying the conditions for establishing certain urban renewal areas, imposing duration limits on certain urban renewal areas, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENT

Senate File 2158

Judiciary: Gustafson, Chair; Branhagen and Meyer.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 639

Ways and Means: Vander Linden, Chair; Brown-Powers and Nunn.

RESOLUTION FILED

H.R. 103, by Meyer, Paulsen, Wessel-Kroeschell, Olson, Windschitl, Vander Linden, Kelley, Best, Salmon, Pettengill, Kooiker, Brown-Powers, Mommsen, Abdul-Samad, Bennett, Isenhart, Dolecheck, Kearns, Finkenauer, Heartsill, Lensing, Nunn, Rizer, Byrnes, Jorgensen, Huseman, Sands, Staed, Gassman, Mascher, Carlson, Sieck, Holt, T. Taylor, Smith, Prichard, Lykam, Jacoby, Dawson, Ruff, Hall, Kaufmann, Heddens, Wolfe, Gustafson, Maxwell, Jones, Koester, Fisher, Bacon, Upmeyer, Highfill, Watts, Baudler, Sexton, R. Taylor, L. Miller, Forristall, Heaton, Hagenow, Baxter, Stanerson, Klein, B. Moore, Paustian, Wills, Sheets, Branhagen, Worthan, Deyoe, Grassley, Cownie, Landon, and Holz, a resolution commemorating the 25th anniversary of the conclusion of Operation Desert Shield/Desert Storm.

Laid over under Rule 25.

AMENDMENTS FILED

H - 8026	<u>H.F.</u>	2329	Wessel-Kroeschell of Story
H - 8027	H.F.	2370	Dolecheck of Ringgold
H - 8028	H.F.	2397	Rizer of Linn
<u>H-8029</u>	H.F.	2011	Dawson of Woodbury
			Jones of Clay
<u>H-8030</u>	H.F.	2369	Gassman of Winnebago
			Steckman of Cerro Gordo
<u>H-8031</u>	S.F.	2200	Steckman of Cerro Gordo

On motion by Hagenow of Polk, the House adjourned at 3:18 p.m., until 8:30 a.m., Thursday, February 25, 2016.